



# MEMO

FROM THE DESK OF

**Sergeant William H. Rarrick**

**Chief Investigator**

**Internal Affairs Section**

E-mail = [wrarrick@Sheriff.Hamilton-co.org](mailto:wrarrick@Sheriff.Hamilton-co.org)

Telephone 513-946-6651

To: Chief Deputy Mark Schoonover

Date: May 31, 2013

Re: Internal Affairs Investigation IA# 24-13

Sir,

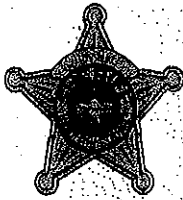
On May 9, 2013 inmate [redacted] was being housed on unit George 42 cell 37, filed an official complaint stating that he was assaulted by Corrections Officer [redacted] while being escorted to his cell. This complaint was originally given to Lieutenant [redacted] on the date of incident and forwarded to Captain [redacted] who conducted the investigation.

The investigation conducted by Captain [redacted] revealed that on May 9, 2013 C/O [redacted] was serving chow on unit George 42 when inmate [redacted] became irate and started to cause a disturbance by pounding on the glass door and waving his hands in the air. C/O [redacted] removed inmate [redacted] from the POD and started to counsel him in the hallway away from other inmates. During that time inmate [redacted] became more irate and verbally abusive towards C/O [redacted] so inmate [redacted] was handcuffed by C/O [redacted] and walked back to his cell. While walking towards his cell inmate [redacted] tried to pull away from C/O [redacted] by the steps. [redacted] then tried to head butt C/O [redacted] and attempted to bite his arm. C/O [redacted] gave a palm heel strike to the right side of [redacted] cheek to avoid being injured. [redacted] was then escorted to his cell without further incident. A use of force report was generated by Sgt. [redacted] and included in the case file. The results from the initial use of force investigation by Sgt. [redacted] and Lt. [redacted] determined that C/O [redacted] followed departmental procedures.

Captain [redacted] reviewed all reports and statements taken during the initial use of force investigation, as well as the formal complaint form filed by inmate [redacted]. Captain [redacted] determined that C/O [redacted] did strike inmate [redacted] in the face, however his actions were justified for his own safety. As a result Captain [redacted] exonerated C/O [redacted] and closed out the complaint.

Rec: Mark Schoonover 6-6-13

If a reply is necessary it may be made directly on this form.



## MEMO

FROM THE DESK OF

**Sergeant William H. Rarrick**

Chief Investigator

Internal Affairs Section

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Telephone 513-946-6651

The Internal Affairs Section has reviewed the use of force investigation reports filed by Sgt. \_\_\_\_\_ and Lt. \_\_\_\_\_ along with the investigation conducted by Captain \_\_\_\_\_ and concur with their findings. C/O \_\_\_\_\_ actions were justified in this situation for his safety. This case is now closed as **exonerated**.

Respectfully Submitted,

*Sgt. Wm. Rarrick*

Sgt. Wm. Rarrick

HAMILTON COUNTY SHERIFF'S DEPARTMENT

FORM II-01

PERSONNEL COMPLAINT FORM

IA # 24-13

1. PERSONNEL INVOLVED: \_\_\_\_\_  
(Name) (Badge #) (Assignment) 1st Intake

2. PERSON FILING: Name \_\_\_\_\_ Sex \_\_\_\_\_ Age \_\_\_\_\_  
Address \_\_\_\_\_

3. PLACE OF OCCURRENCE: G42  
Type of Premise HCS District NIA

4. DATE OF OCCURRENCE: 4-25-13 5. TIME OF OCCURRENCE: 1720

6. DETAIL NUMBER (If applicable): NIA

7. DESCRIPTION OF INCIDENT (Include specific allegations):

States that he was stopped by  
Deputy while handcuffed.  
Complaint Form II-02 included.  
JMS reports covering incident included.

(Use Addendum Form II-06 if additional space required)

8. RECEIVED BY: Capt. Scheffler 15-9-13 / 1500  
(Supervisor) (Date) (Time)

How Received: In person on Form II-02

9. SUPERVISORY ACTION:

- ☐ Complaint resolved on initial contact – (See Form II-09 attached)  
☐ Complaint [retained by] \_\_\_\_\_ /  
[referred to] \_\_\_\_\_ (Date)

for investigation as provided for in General Order #214.

(NOTE: Requires copy of this form and Official Complaint Statement Form (II-02) to be immediately submitted to Division or work unit Commander for information and forwarding of copies to Internal Affairs Unit for logging and number.)

- ☒ Complaint forwarded to Division Commander for Evaluation as to determination of investigation responsibility and assignment.

## Hamilton County Sheriff's Office - Corrections Division

### Disciplinary Incident Report

Re:

Incident Id	Incident Location: CJC - N42	Incident Datetime: 04/25/2013 00:00
Incident Type: Inmate Disciplinary Violation		Note: Force was used.
Staff Preparing Report:		Report Datetime: 04/25/2013 16:43
Supervisor Notified: SGT.ELLIOTT		Datetime Notified: 00/00/0000 00:00

**Incident Details:**

On April 25, 2013, I, Deputy [redacted], was assigned as the housing Officer, on G-42. At approximately 1625, [redacted] began to pound his fists on the center pod window of F-pod. I ordered him to stop and to return to his cell. He immediately waved his hands in the air and ran to the pod ringmaster and pressed the button, aggressively. My partner and I were in the process of correcting a count issue, so we stopped to deal with [redacted]. Deputy [redacted] was in the hallway and was asked to assist in placing [redacted] in his assigned cell. I called [redacted] to come to the sally port in order to talk to him and to separate him from the rest of the pod. While my partner was in the process of opening the pod door, [redacted] began to jerk on the pod's door handle. Once in the sallyport, I called [redacted] to the hallway to talk, privately. He was calm at first but then became verbally aggressive. At this point, he was ordered to turn around and place his hands on the wall and he was handcuffed. While escorting [redacted] back to his cell, he began to pull away from us as we walked up the left hand pod stairwell. A wrist-lock was applied to gain positive control over [redacted]. Once [redacted] stopped pulling away, we continued up the stairwell. When we were in front of cell #23, approximately, [redacted] turned on me and attempted to head butt me and tried to bite my arm. While maintaining control over [redacted] with my left hand, I utilized a palm-heel strike to [redacted] right cheek, to avoid being injured. [redacted] was, then, escorted the rest of the way to his cell, without further incident and placed him in his assigned cell, #37. [redacted] was ordered to lay, face down, on his mattress and to face away from us. His wrists were removed from the handcuffs, one hand at a time, and he was ordered to place his hands underneath his body until staff exited the cell and the door was closed. As soon as Officers let go of

**Characteristics:**

Inmate Fight or Disturbance

**Violations:**

Datetime	Number	Part	Item	Violation Description	Status
04/25/2013 16:40	2	2	a	2.a. Disobeying any staff order.	Charged
04/25/2013 16:40	5	5	g	5.g. Unnecessary noise or pounding on doors or windows.	Charged
04/25/2013 16:40	5	5	e	5.e. Profanity, derogatory remarks or gestures to staff.	Charged
04/25/2013 16:40	5	5	a	5.a. Assault on a staff member.	Charged

**Disciplinary Details:**

Officer Signature: _____	Date: _____
Supervisor's Signature: _____	Date: _____
Inmate's Signature: _____	Date: _____

Inmates charged with major or serious rule violations shall be given notice of charges through the issuance of the form entitled, "NOTICE OF DISCIPLINARY VIOLATIONS".

## Hamilton County Sheriff's Office - Corrections Division

### Disciplinary Incident Report

Re:

<b>Incident Id:</b>	<b>Incident Location:</b> CJC - N42	<b>Incident Datetime:</b> 04/25/2013 00:00
<b>Incident Type:</b> Inmate Disciplinary Violation		<b>Note:</b> No force used.
<b>Staff Preparing Report:</b>		<b>Report Datetime:</b> 04/25/2013 17:23
<b>Supervisor Notified:</b> SGT. ELLIOTT		<b>Datetime Notified:</b> 00/00/0000 00:00

**Incident Details:**

he immediately lunged off the bed. Both, Deputy and I, were able to exit the cell and secure the cell door without further incident. Sgt. was informed immediately after was secured in his cell and approved the temporary lock down of F-pod, as a cool down period. He arrived on post shortly after the incident to speak with all Officers that were involved.

Following the incident, all inmates housed in F-pod were secured in their assigned cells to avoid any further incidents. When evening chow arrived on post, Officer presence was key in preventing any further problems. I called for a rover to come and assist with passing trays. Since I was the primary Officer involved in the initial incident, Deputy assisted in passing trays out and Deputy I assisted in collecting trays. When Officers arrived at cell #37, continued to direct threats of violence toward me. Other than these verbal threats, no other incidents occurred.

**Characteristics:**

Inmate Fight or Disturbance

**Violations:**

Datetime	Number	Part	Item	Violation Description	Status
04/25/2013 16:40	2	2	a	2.a. Disobeying any staff order.	Charged
04/25/2013 16:40	5	5	g	5.g. Unnecessary noise or pounding on doors or windows.	Charged
04/25/2013 16:40	5	5	e	5.e. Profanity, derogatory remarks or gestures to staff.	Charged
04/25/2013 16:40	5	5	a	5.a. Assault on a staff member.	Charged

**Disciplinary Details:**

<b>Officer Signature:</b> _____	<b>Date:</b> _____
<b>Supervisor's Signature:</b> _____	<b>Date:</b> _____
<b>Inmate's Signature:</b> _____	<b>Date:</b> _____

Inmates charged with major or serious rule violations shall be given notice of charges through the issuance of the form entitled, "NOTICE OF DISCIPLINARY VIOLATIONS".

## Hamilton County Sheriff's Office - Corrections Division

### Disciplinary Incident Report

Re:

Incident Id:	Incident Location: CJC - N42	Incident Datetime: 04/25/2013 00:00
Incident Type: Inmate Disciplinary Violation		Note: Force was used.
Staff Preparing Report:		Report Datetime: 04/25/2013 18:06
Supervisor Notified: SGT. ELLIOTT		Datetime Notified: 00/00/0000 00:00

**Incident Details:**

On April 25, 2013, I, Deputy [redacted] was the housing Officer, on G-41. I received notification from Deputy [redacted], that he needed assistance in locking an inmate in. Once I arrived and Officer presence was established, [redacted] was called to the hallway. [redacted] was being verbally aggressive so we gave commands for him to put his hands on the wall to be handcuffed. [redacted] complied with orders then was escorted to his cell by Deputy [redacted] and I. [redacted] began to pull away from our grip as we escorted him up the stairs. Once we got up the stairs, [redacted] became increasingly upset and around cell #23, he threw what appeared to be either a head butt or an attempt to bite Deputy [redacted]. Deputy [redacted] quickly deflected his head away from him using a palm-heel strike to [redacted] right cheek. We then entered cell and instructed him to lay on his bed, face down. He complied and the cuffs were taken off. He was given orders to stay on his bed until we exited the cell. Once we started to exit the cell, [redacted] jumped up but we quickly secured his door, without any further incident. Sgt. [redacted] was notified by Deputy [redacted] about the incident.

Sgt. Elliott was notified.

**Characteristics:**

Inmate Fight or Disturbance

**Violations:**

Datetime	Number	Part	Item	Violation Description	Status
04/25/2013 16:40	2	2	a	2.a. Disobeying any staff order.	Charged
04/25/2013 16:40	5	5	g	5.g. Unnecessary noise or pounding on doors or windows.	Charged
04/25/2013 16:40	5	5	e	5.e. Profanity, derogatory remarks or gestures to staff.	Charged
04/25/2013 16:40	5	5	a	5.a. Assault on a staff member.	Charged

**Disciplinary Details:**

Officer Signature: _____	Date: _____
Supervisor's Signature: _____	Date: _____
Inmate's Signature: _____	Date: _____

Inmates charged with major or serious rule violations shall be given notice of charges through the issuance of the form entitled, "NOTICE OF DISCIPLINARY VIOLATIONS".

# Hamilton County Sheriff's Office - Corrections Division

## Disciplinary Incident Report

Re:

Incident Id:

Incident Location: CJC - N42

Incident Datetime: 04/25/2013 00:00

Incident Type: Inmate Disciplinary Violation

Note: Force was used.

Staff Preparing Report:

Report Datetime: 04/25/2013 18:21

Supervisor Notified: SGT. ELLIOTT

Datetime Notified: 00/00/0000 00:00

**Incident Details:**

On April, 25, 2013, I, \_\_\_\_\_ was assigned as the LC Officer, on L-42. When I observed \_\_\_\_\_ standing against F-pod's glass wall, pounding his fists on the glass. Deputy \_\_\_\_\_ asked \_\_\_\_\_ to step away from the glass, via the loud speaker. After Deputy \_\_\_\_\_ asked \_\_\_\_\_ to step away from the glass, he proceeded to the ringmaster, highly agitated. My partner, then, called him out to the sallyport, to speak with him. Before I could open the pod door, \_\_\_\_\_ started to shake the door back and forth. After entering the sally port, Deputy \_\_\_\_\_ directed \_\_\_\_\_ to come out to the hallway. He was placed into hand cuffs by my partner and Deputy \_\_\_\_\_ and they proceeded to take \_\_\_\_\_ back to his cell. When entering back into F- pod, I observed \_\_\_\_\_ start to try to jerk away from \_\_\_\_\_ was then placed in cell and the door was secured.

**Characteristics:**

Inmate Fight or Disturbance

**Violations:**

Datetime	Number	Part	Item	Violation Description	Status
04/25/2013 16:40	2	2	a	2.a. Disobeying any staff order.	Charged
04/25/2013 16:40	5	5	g	5.g. Unnecessary noise or pounding on doors or windows.	Charged
04/25/2013 16:40	5	5	e	5.e. Profanity, derogatory remarks or gestures to staff.	Charged
04/25/2013 16:40	5	5	a	5.a. Assault on a staff member.	Charged

**Disciplinary Details:**

Officer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Inmate's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Inmates charged with major or serious rule violations shall be given notice of charges through the issuance of the form entitled, "NOTICE OF DISCIPLINARY VIOLATIONS".

## OFFICIAL COMPLAINT STATEMENT

IA #

I / We, \_\_\_\_\_ of  
[Name (s)]

[Street Address]

[City]

[State]

[Zip]

D.O.B. \_\_\_\_\_

PHONE \_\_\_\_\_

SS# \_\_\_\_\_

do hereby file and Official Complaint against Officer

[Officers Name(s)]

who I / we feel did conduct himself / herself in a manner that was improper on \_\_\_\_\_ at

[Date]

5:20 PM, at JUSTICE CENTER, as per the following statement of facts  
[Time] [Location]

regarding the basis for the complaint:

STATEMENT:

I WAS ASSAULTED BY OFFICER  
IN HOUSING UNIT 42 NORTH  
BUILDING I WAS SLAPPED IN THE FACE  
WHILE IN HANDCUFFS AND WENT TO  
MEDICAL

I / We, hereby certify that the statement included within this page or these \_\_\_\_\_ pages, is the truth to the best of my / our recollection.

SIGN: \_\_\_\_\_

WITNESS \_\_\_\_\_

SIGN: \_\_\_\_\_

DATE: 5/9/2013

Page \_\_\_\_\_ of \_\_\_\_\_ Pages



HAMILTON COUNTY SHERIFF'S DEPARTMENT

FORM II-03

WITNESS STATEMENT

IA #

I, \_\_\_\_\_ of \_\_\_\_\_  
[Print Name] [Address - Print]

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

do hereby make the following STATEMENT: \_\_\_\_\_

I do hereby certify that the statement included on this page, or in these \_\_\_\_\_ pages, is the truth to the best of my / our recollection.

SIGN: \_\_\_\_\_ WITNESS \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_ Pages

HAMILTON COUNTY SHERIFF'S DEPARTMENT

FORM II-06

ADDENDUM TO:  
(Check One)

- ☐ II-01
- ☐ II-02
- ☐ II-03
- ☐ II-05
- ☐ II-09
- ☐

IA #

Complainant \_\_\_\_\_

Personnel \_\_\_\_\_

SIGN: \_\_\_\_\_

SIGN: \_\_\_\_\_

WITNESS \_\_\_\_\_

DATE: \_\_\_\_\_

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HAMILTON COUNTY  
INTERDEPARTMENTAL CORRESPONDENCE

TO: C/O

FROM: Sgt. William Rarrick  
Chief Investigator

SUBJECT: Closed Investigation

DATE: June 6, 2013

At the request of Sheriff Jim Neil, the Corrections Division has conducted an investigation into a charge of Excessive Force by a Deputy Sheriff.

They have investigated this allegation, conducted the necessary interviews and have concluded there is no sustainable evidence to support this charge.

The Sheriff has approved the recommendation that this case be closed as "Exonerated".

A copy of this notice has been forwarded to your Division Commander. Should you have any questions regarding this matter, please contact the Internal Affairs Unit.

Respectfully,

Sgt William Rarrick  
Chief Investigator

WR:bb

cc: Division Commander